

Department of Permitting and Inspections

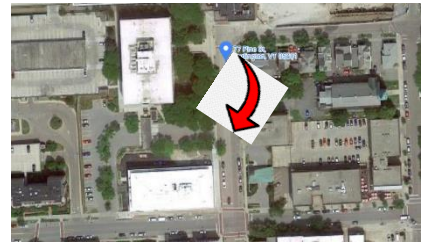
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MEMORANDUM

To: The Design Advisory Board
From: Mary O'Neil, AICP, Principal Planner
RE: ZP 21- 0927CA; 79 Pine Street
Date: May 25, 2021



File: ZP21-0927CA
Location: 79 Pine Street
Zone: FD6 **Ward:** 3C
Parking District: Multi Modal Mixed Use
Date application accepted: April 21, 2021
Applicant/ Owner: Nedde Real Estate
Request: Construct 9 story 49 unit residential building on the same lot as the Peoples United Bank.

Background:

(Address is sometimes recorded as 2 Burlington Square. Parcel is 77 Pine Street.)

- **Zoning Permit 21-0728SN;** install 1 wall sign, illumination included. April 2021.
- **Zoning Permit 21-0722SN;** install replacement signs for People's United Bank. March 2021.
- **Zoning Permit 21-0082CA;** adding rooftop terrace adjacent to existing mechanical penthouse. Solar panels, mechanical equipment and sun shades included. July 2020.
- **Zoning Permit 20-0681CA;** site changes relative to reestablishing greenspace and removal of access from 1 Burlington Square into 2 Burlington Square. February 13 2020.



- **Zoning Permit 20-0453CA**; consolidation of bank use; drive through reduce from 3 to 2 lanes, creation of 50 residential units; reorganization of circulation/parking; stormwater infiltration, revised landscaping and lighting, replacement windows, stained brick, metal clad canopy. November 2019.
- **Zoning Permit 18-0336CA**; removal of existing masonry façade and windows. Replacement with insulated wall assembly with rain screen ceramic façade system and new windows. October 2017. Permit expired.
- **Non-applicability of Zoning Permit Requirements 17-0502NA**; remove and replace same in kind concrete sidewalk, concrete step and landing with same handrail. October 2016.
- **Non-applicability of Zoning Permit Requirements 17-0328NA**; change out existing ATMs to newer models and set to ADA compliance. September 2016.
- **Zoning Permit 13-0538CA**; replace existing entry door with larger handicapped accessible doorway. November 2012.
- **Zoning Permit 11-0111SN**; replace two existing nonconforming parallel signs with new nonconforming parallel signs. September 2010.
- **Zoning Permit 10-0972SN**; replace two nonconforming parallel signs with two new nonconforming parallel signs. July 2010.
- **Zoning Permit 10-0971SN**; change face of three existing signs (two freestanding and one parallel). No change in dimensions or placement. No illumination for the freestanding signs. Internal illumination for the parallel sign. May 2010.
- **Non-applicability of Zoning Permit Requirements 09-036NA**; removal and replacement of concrete walls, stair and sidewalks replaced to match existing design. July 2008.
- **Zoning Permit 07-398SN**; replace face of existing parallel sign for Chittenden Bank. December 2006. Superseded by 10-0971SN.
- **Zoning Permit 09-034CA**; install new railings. July 2008.
- **Zoning Permit 99-606**; construction of an emergency generator enclosure adjacent to the existing drive up teller station. June 1999.
- **Non-applicability of Zoning Permit Requirements**, antennae placed on the rooftop. March 1995.
- **Zoning Permit 92-171**; installation of internally illuminated parallel sign above drive up ATM. November 1991.
- **Zoning Permit 92-172**; removal of teller operated drive-up bank window with drive-thru ATM unit. No change to circulation or overall use. November 1991.
- **Zoning Permit 81-255**; construct two vestibules on entrance ways for energy efficiency purposes. November 1980.

- **Zoning Permit 81-232**; enclose presently elevated loading dock area and extend out the platform being enclosed. October 1980.

Overview: The proposal is to construct a 9 story, 49 unit residential building on the same parcel as the former Chittenden Bank / Peoples United Bank. The parcel is within Form District 6.

The Design Advisory Board's role is limited to:

1. A recommendation relative to the request for additional height above that allowed by administrative authority.

Applicable Standards for Design Advisory Board review:

Article 14 Downtown Code

Section 14.3.4-D Building Height & Bulk (Form District 6)

14.3.4-D- BUILDING FORM

BUILDING HEIGHT A	
Principal Buildings	<u>Subject to Administrative Review:</u> <ul style="list-style-type: none"> • 3 Stories min. • 4 Stories max., not to exceed 45-feet within 20-feet of the Frontage Line on the Church Street Marketplace¹; otherwise, • 6 Stories max., not to exceed 65-feet <u>Subject to DRB Review per Sec. 14.6.4 f:</u> <ul style="list-style-type: none"> • 10 Stories max., not to exceed 105-feet; or, • 14 Stories max., not to exceed 160-feet²
Outbuildings	2 Stories max. not to exceed 24-feet

The by-right height is 6 stories or 65 feet. The applicant is requesting additional height subject to DRB review per Section 14.6.4 f for a total height of 105 feet maximum.



THE DIAGRAM ABOVE IS AN EXCERPT OF REGULATING PLAN SPECIAL REQUIREMENTS - MAP 2 - SPECIFIC HEIGHT AREAS. (SEE SEC. 14.2.6)

The subject parcel is NOT within any specific height area on Map 2 – *Specific Height Areas*. The proposed building height is 105'; within the DRB discretionary allowance. No additional stories are proposed above the 10 story limitation with DRB approval. (The application seeks 9 stories.)

Section 14.6.4 Building Height

(f) Design and Public Space Standards Required for Additional Building Height

i. *Design Standards: The maximum building height and mass is permitted By Right by the underlying Form District, as may be modified by the chosen Building Type and Frontage Type. However, there are a number of ways that building shape, articulations, and choice of materials can be used to reduce the perceived height and mass of taller buildings, and ensure a high quality of design that complements the character of the Downtown and Waterfront area.*

After consultation with the Design Advisory Board and a Public Hearing, the Development Review Board shall evaluate any proposal seeking additional Building height under each of the following additional design standards, and find affirmatively that:

- a. *The proposed building presents a design that emphasizes slender, vertically-oriented proportions to assure a rich visually interesting experience as viewed within the context of the downtown skyline; reinforces opportunities for establishing points of reference for visual orientation; and provides visual interest and human scale at the pedestrian level through the use of a variety of scales, materials, fenestration, massing, or other architectural design techniques;*

The purposeful design (shown in a rendering, above right) utilizes materials, stepbacks, architectural voids, and a vertical design to slenderize the building as experienced from the street. The particular vertical emphasis of the off-center masonry column that runs the full height of the building further emphasizes the recesses and differing heights of the bookended companion building volumes. Furthermore, the fifth story stepback with green roof partnered with the three projecting balconies guides the eye upward. Vertical window ribbons further encourage skyward view. The alternating materials and varied building outline provide marked visual interest. Pedestrian level interface is excited by the conversely fluctuating recessed plane and void/solid contrast. A landscaped planter at the first level introduces the pedestrian entrance and welcomes directs to the primary access door, further identified by the modernist structural support column at the northeast corner.



SOUTH EAST VIEW



and,

b. Upper story proportions of the building are oriented and tapered and/or separated into separate masses in order to retain sky view between individual building elements from the public thoroughfare.

The proposed residential building is situated between the former Chittenden Bank / Peoples United Bank to the north, and the ICV office building to the south. It addresses the street by replicating the front setback of ICV along Pine Street. There are voids between all building masses, allowing for skyview between each individual structure. Visual dynamism is produced with the modulating building edges: Projecting balconies, building step backs and plane recesses.

ii. Active Public Space and Restrooms

*A minimum of 20 sf/1,000 sf of the gross floor area above 85 feet shall be dedicated to active and publicly accessible upper story rooftops and terraces, **and/or** street-level public restrooms as follows:*

- a. Upper story rooftops and terraces must incorporate active public use such as outdoor dining with seating or other uses and activities that invite use by the public, and be located above the 7th floor. At least 25% of the space must be accessible to the general public during all regular business hours without expectation of payment or purchase.*

No rooftop public access is proposed for this development. The applicant is meeting the standard with (b), below.

- b. Public restrooms may count towards the public space requirement above at a ratio of 10:1. Public restrooms must be located on the ground floor, have a minimum size of 50 sqft, be signed from the public street, be actively monitored and maintained, and be open to the public during all regular business hours. Placement of a public restroom in partnership with the City within an adjacent public space or the public ROW may be acceptable with the concurrence of the respective responsible City department and provided actual development costs and projected 20-yr maintenance costs are paid by the applicant.*

Floor plans confirm 4,040sf on the 9th floor establishing the gross floor area above 85'. The calculation for public space requirement is 20 sf/1,000 sf, or $20 \times 4 = 80$ sf. The ratio for public restrooms is 10:1, $10 \times 58 = 580$ ($7'7'' \times 7'8'' = 58.06$ sf.) The area of the restroom exceeds the calculation defined in this standard and therefore satisfies the active public space/restroom requirement. The restroom is on the ground floor (see plan A1.01), exceeds the minimum size of 50 sf, must be signed from the public street, actively monitored and maintained, and open to the public during regular business hours.